

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

PUBLIC SERVICES - Commercial Taxes Department - Disciplinary Proceedings initiated against Sri B. Swatantra Rao, Assistant Section Officer, Irrigation & Command Area Development (IW) Department, A.P. Secretariat for issuing Registration Certificate to Trader without conducting proper enquiry while working as Assistant Commercial Tax Officer, Gurazala, Guntur District - Charges - Enquiry - Expired on 15.4.2012 - Further action abated - Orders - Issued.

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**REVENUE (VIG.I) DEPARTMENT**

**G.O.Rt.No. 1599**

**Dated:07-11-2012.**

**Read the following :**

1. G.O.Rt.No.429, Revenue (Vig. I) Department, Dt: 23.2.2000.
2. From Sri B. Swatantra Rao, formerly ACTO, Gurazla and worked as ASO, I&CAD (IW) Dept., written statement of defence dt: 27.3.2001.
3. G.O.Rt.No.760, Revenue (Vig. I) Dept. Dt: 13.4.2006.
4. G.O.Rt.No. 1465, Revenue (Vig. I) Dept. Dt: 12.12.2011.
5. D.O. Letter No. 383/COI-KPC/A1/2011, Dt: 1.3.2012 from Sri K. Pradeep Chandra, IAS, Commissioner of Inquiries, General Administration Department.
6. Govt. Memo No.75787/Vig. I(1)/2000-16, Revenue (Vig. I) Department, Dt: 16.4.2012.
7. From Smt. B.V. Kiran Kumari, W/o. B. Swatantra Rao, former ACTO and retired Asst. Section Officer, Irrigation & Command Area Development (I.W) Department, A.P. Secretariat (expired), representation dt: Nil (received on 25.9.2012).

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**ORDER :**

In the reference 1<sup>st</sup> read above, charge was framed against Sri B. Swatantra Rao, Assistant Section Officer, Irrigation & Command Area Development (IW) Department, A.P. Secretariat for the irregularity committed while he was working as Assistant Commercial Tax Officer, Gurazala i.e., that he did not conduct proper enquiry before granting Registration Certificate to M/s. Vengamamba Enterprises, Palligunta and this negligence allowed the Dealer to misuse the way bills and indulge in clandestine trade which led to loss of revenue. He was directed to submit his written statement of defence and accordingly, the Charged Officer has submitted his written statement of defence vide reference 2<sup>nd</sup> read above.

2. In the reference 3<sup>rd</sup> read above, Government appointed Dr. A. Madhusudhan Reddy, IAS (Retd.) Commissioner of Inquiries, General Administration Department as the Inquiring Authority to conduct inquiry into the charges framed against Sri B. Swatantra Rao, former Assistant Commercial Tax Officer and Assistant Section Officer, Irrigation & Command Area Development (IW) Department and S/Sri M.V. Prasanna Kumar, Commercial Tax Officer, Macherla (CO-1) and also Sri D.V. Sarveswara Rao, Deputy Commercial Tax Officer (Retd./ CO-2) who were also involved in the case. Due to demitting of office or re-assigning the case from time to time, Sri K. Pradeep Chandra, IAS, Commissioner of Inquiries was appointed as Inquiring Authority to conduct inquiry into the matter, vide reference 4<sup>th</sup> read above.

3. In the reference 5<sup>th</sup> read above, the Inquiring Authority has furnished his enquiry report and among others, in respect of Sri B. Swatantra Rao, former Assistant Commercial Tax Officer, Gurazala (CO-3), the Inquiring Authority has held that the first component that the Charged Officer-3 while working as Assistant Commercial Tax Officer, Gurazala did not conduct proper enquiry before granting Registration Certificate to M/s. Vengamamba Enterprises is found substantiated.

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4. Government have forwarded a copy of the Inquiry report to Sri B. Swatantra Rao, formerly Assistant Commercial Tax Officer, Gurazala and retired Assistant Section Officer, Irrigation & Command Area Development (IW) Department with a direction to submit his representation on the findings of the Inquiring Authority for taking further action, vide reference 6<sup>th</sup> read above.

5. In the reference 7<sup>th</sup> read above, Smt. B.V. Kiran Kumari, W/o. B. Swatantra Rao, former Assistant Commercial Tax Officer and retired Assistant Section Officer, Irrigation & Command Area Development (IW) Department has filed representation stating that her husband expired due to cardiac arrest on 15.4.2012 and the inquiry report conducted against her husband was received later. While enclosing death certificate of her deceased husband, she has requested to take necessary action and to issue necessary instructions to the concerned for release of pension and pensionary benefits of her late husband.

6. Government have examined the matter keeping in view the findings of the Inquiring Authority and observe that though the component of the charge that the Charged Officer did not conduct proper enquiry before granting Registration Certificate is found substantiated; the second component of the charge that this negligence allowed the dealer to misuse the way bills and indulge in clandestine trade and let to loss of revenue is not substantiated against the Delinquent Officer. There is no loss caused due to the deceased and death abates all further proceedings.

7. Hence Government, after careful examination, hereby abate further action against Sri B. Swatantra Rao, former Assistant Commercial Tax Officer and Assistant Section Officer, Irrigation & Command Area Development (IW) Department, A.P. Secretariat (retired & expired).

8. The General Administration (SU.II) Department and the Irrigation & Command Area Development (IW) Department are requested to take necessary action to release pension and pensionary benefits of the deceased to the legal heirs, if no other cases are pending against him.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt. B.V. Kiran Kumari,  
W/o. B. Swatantra Rao, formerly Assistant Commercial Tax Officer, Gurazala and retired Assistant Section Officer, Irrigation & Command Area Development (IW) Department (Retired & Expired)  
H.No. 1 - 10 / 5/ E, Nethaji Colony, Manikonda,  
Rajendra Nagar Mandal, R.R. District  
Pin No. 500 089.

The General Administration (SU.II) Department.

The Irrigation & Command Area Development (IW) Department.

Copy to:

The Commissioner of Commercial Taxes, A.P, Hyderabad

The Pay and Accounts Officer, AP, Hyderabad.

The Accountant General, AP, Hyderabad.

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//Forwarded :: By Order //

SECTION OFFICER.